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Attorneys for Defendant, Safeway Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

OLGA ROSEBERRY,)	
)	
Plaintiff,)	
)	
vs.)	
)	
SAFEWAY INC.,)	
)	
Defendant.)	Case No. _____
_____)	

**NOTICE OF REMOVAL OF CASE FROM STATE COURT
(SUPERIOR COURT CASE NO. 3VA-12-00005 CIVIL)**

TO THE DISTRICT COURT OF THE UNITED STATES, DISTRICT OF
ALASKA, AND TO PLAINTIFF AND HER ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that Defendant, SAFEWAY INC. ("Safeway"),
contemporaneous with the filing of this Notice, is effectuating the
removal of the above-referenced action from the Superior Court of
the State of Alaska, Third Judicial District, to the United States
District Court for the District of Alaska. A true and correct copy
of the Notice to Superior Court of Filing Notice of Removal filed

in Case No. 3VA-12-00005 CI is attached hereto as Exhibit A. The removal is based on the following grounds:

1. On or about January 17, 2012, there was filed in the Superior Court for the State of Alaska the above titled action, Case No. 3VA-12-00005 CI.

2. On or about January 26, 2012, the Defendant was served with a copy of the Complaint, via certified mail, at the corporate offices of Defendant in Pleasanton, California.

3. A true and correct copy of the Complaint is attached hereto as Exhibit B and is incorporated by reference herein as though fully set forth.

4. The United States District Court has jurisdiction over the superior court action in this matter, based on diversity of citizenship of the parties pursuant to 28 U.S.C. § 1332.

5. Plaintiff is a resident of Alaska. On information and belief, and without conceding same, Plaintiff's claims exceed \$75,000.

6. Defendant is a corporation organized under the laws of the state of Delaware with its principal place of business in Pleasanton, California. Its corporate citizenship is California.

7. This notice of removal is timely filed in that it is filed within 30 days of receipt of a copy of the complaint by Defendant, which sets out a claim for relief.

8. Safeway expressly consents to this notice of removal.

9. The notice to State Superior Court of the notice of removal is being filed contemporaneously with this notice in federal court.

DATED this 15th day of February, 2012, at Anchorage, Alaska.

DELANEY WILES, INC.
Attorneys for Defendant

/s/ Cynthia L. Ducey
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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of February, 2012, a copy of foregoing document was served by mail on:

Ian Wheelles
Law Office of Ian Wheelles
601 East 57th Place, Suite 101
Anchorage, AK 99518

/s/Cynthia L. Ducey
4851-7780-9678, v. 1